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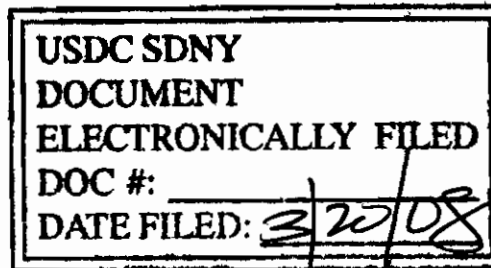
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MEMO ENDORSED

March 13, 2008

BY HAND

The Honorable Richard J. Sullivan
United States District Judge for the
Southern District of New York
United States Courthouse
500 Pearl Street -- Room 615
New York, New York 10007



Re: Hope v. U.S. Dep't of Housing and Urban Development, et al.
S.D.N.Y. No. 07-CV-4726 (RJS)

Dear Judge Sullivan:

We are the attorneys for St. Margaret's House and Joseph Breed, defendants in the above-referenced action. On November 13, 2007, we filed a motion to dismiss the complaint as against St. Margaret's House and Joseph Breed. Our reply papers were filed on December 18, 2007. The motion is currently sub judice. On February 28, 2008, we first received an electronic notification that an amended complaint had apparently been filed by the plaintiff on February 14, 2008. No electronic copy of the amended complaint was attached to the February 28, 2008 notification and, upon reviewing the docket, it appears that plaintiff failed to file an electronic copy of the amended complaint with the Clerk of the Court as required. Copies of the February 28, 2008 notification that we received as well as the docket are enclosed. No hard copy of the amended complaint has been served on us. We attempted to retrieve a copy of the amended complaint that was apparently filed with the Clerk, but that document is not available in the Clerk's office.

In sum, no amended complaint has ever been served on us in any form and we have been unable to obtain a copy of same. If an amended complaint has in fact been filed, we anticipate either filing a motion to dismiss or, if the complaint has been amended solely to add an additional party, requesting that our motion to dismiss the initial complaint be deemed

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interposed as against the amended complaint. At this time, however, we are unable to respond to any amended complaint because it has not been served upon us.

Respectfully,


Matthew S. Fenster

Matthew S. Fenster

Enclosures

cc: Ning Ye, Esq.
(via facsimile)

The Court shall hold a status conference on these and other issues related to this case on Friday, April 11, 2008 at 2:30 p.m.

SO ORDERED
Date: *3/19/08* 
RICHARD J. SULLIVAN
U.S.D.J.